

**EQUAL EMPLOYMENT OPPORTUNITY COMMISSION  
MEMPHIS DISTRICT OFFICE**

WANDA McKINNEY

**CHARGING PARTY**

V.

EEOC Charge: 490-2016-02101

NORTH PANOLA SCHOOL DISTRICT

**RESPONDENT**

**AFFIDAVIT OF WANDA MCKINNEY**

PERSONALLY CAME BEFORE ME, the undersigned Wanda McKinney, who, being duly sworn, states the following based on her personal knowledge, information, and belief:

1. I worked at North Panola High School from on or about April 1998 until on or about June 12, 2017.
2. I have a qualifying disability under the Americans with Disabilities Act: I have been deemed legally blind, and I require special, albeit affordable, technology to perform my tasks.
3. While at North Panola High School, I was responsible for processing transcript requests, ACT waivers, updating cumulative folders, acting as assistant test coordinator, reviewing student transcripts and ACT test scores, enrolling new students, and meeting/counseling with students.
4. In addition to these responsibilities, and my responsibilities as a guidance counselor, I was also required to serve as School Test Coordinator, worked as SAMS (student data entry program) Clerk, and worked as MSIS (data entry-based system) Clerk.
5. I also assisted seniors with the college admissions process, including drafting reference letters, providing advice, and researching and applying for scholarships.
6. I also worked to schedule students, assist students with registering for the ACT, calculate grade point averages ("GPA's") for seniors and worked with the senior sponsor to ensure the GPA's were accurate.
7. Working in the Master Schedule, I was regularly instructed to enter and change schedules upon the principal's request.
8. I was told to print schedules, progress reports, and report cards, and collect and verify

teacher grades.

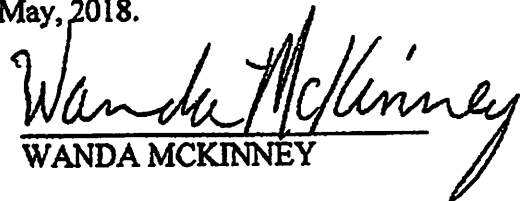
9. I was also told to complete reports for supervisors at the district level.
10. I was the sole guidance counselor for approximately four hundred (400) students.
11. From Summer 2016 to 2017, after requesting reasonable accommodations under the ADA, I was required to do more work, my co-worker support was removed, my responsibilities increased, and North Panola ignored my repeated pleas for updated and functional ZoomText style software and a computer which would run it..
12. In early 2017, I met with Principal Stowe to discuss my need for accommodations, my overwhelming workload, and my proper role as guidance counselor. In response to my concerns, Stowe informed me that "it will only get worse."
13. I routinely asked for assistance in the form of a record-keeper and/or data clerk, and I was denied such assistance.
14. I routinely asked for an updated computer that would run ZoomText software needed for my vision disability, and I was regularly denied such assistance.
15. I was advised by Principal Stowe that I would need to skip lunch and any other breaks during my shift in order to meet my responsibilities. I was further advised that I should stay late to complete those responsibilities, if necessary.
16. During the summer of 2016, I informed North Panola that the ZoomText software was not working, and I requested help. The IT technician checked my computer and informed me that ZoomText needed to be updated and that my computer was unable to run ZoomText due to memory limitations.
17. On or about August, 2016, I requested the ZoomText software upgrade and the computer per the school's IT technician's recommendations, but the ZoomText software upgrade was not provided until about three (3) months later in November, 2016.
18. North Panola provided another old computer for me to use, but this computer still did not operate the ZoomText software. I was required to constantly reboot the computer, I would often lose my work when my computer crashed, and I had numerous other problems with my computer and the ZoomText software. According to the IT technician, this was due to the same memory limitation

I experienced on my previous computer. The IT technician and I informed Principal Stowe that I needed a new computer. Principal Stowe stated that he would not provide one of the new computers that were set up in the lab, but he instead gave me another old computer. It was clear that he did not want to accommodate my vision problem.

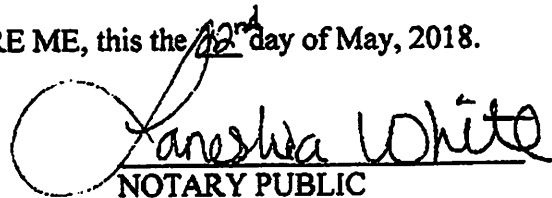
19. On or about June 1, 2018, the superintendent contacted me and asked for a conference, wherein he stated that I was being transferred to Crenshaw Elementary School. I was shocked and saddened, and I asked him whether that school was closing. He stated Principal Stowe had insisted upon the transfer, and that my only options were to transfer or resign.
20. Due to his decision to transfer me out of North Panola High School in June 2017, Principal Stowe never provided me a new computer or the full version of the ZoomText software.

**FURTHER, THE AFFIANT SAYETH NOT.**

WITNESS MY SIGNATURE, this the 22<sup>nd</sup> day of May, 2018.

  
WANDA MCKINNEY

SWORN TO AND SUBSCRIBED BEFORE ME, this the 22<sup>nd</sup> day of May, 2018.

  
NOTARY PUBLIC

Prepared by:  
Derek J. Goff  
Dummer Law Group  
770 Water Street  
Biloxi, MS 39530  
228-392-2003(o)  
228-392-7518(f)  
[dgoft@dlg-pllc.com](mailto:dgoft@dlg-pllc.com)

